

Unsealed as of 3/13/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ORDERED SEALED BY COURT
08 MAR 10 AM 8:24

In the Matter of the Search of

315 Westbourne Street
La Jolla, California
and red Ford Mustang with
California Tag No. 6BUV942

SEARCH WARRANT
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CASE NUMBER: '08 MJ 0672
BY: CP

TO: US Postal Inspector John Liam Gimon and any Authorized Officer of the United States:

Affidavit having been made before me by US Postal Inspector John Liam Gimon who has reason to believe that on the premises known as:

See Attachment A

in the Southern District of California there is now concealed a certain person or property, namely:

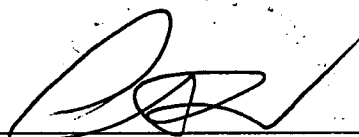
See Attachment B

I am satisfied that the affidavit and any recorded testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before **March 15, 2008** (not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search in the daytime (6:00 A.M. to 10:00 P.M.) and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to Hon. Cathy Ann Bencivengo, United States Magistrate Judge, as required by law.

Issued:

March 5, 2008 at 9:50 am ~~am/pm~~ at San Diego, California


HONORABLE CATHY ANN BENCIVENGO
UNITED STATES MAGISTRATE JUDGE

RETURN

DATE WARRANT RECEIVED

3/5/2008

DATE AND TIME WARRANT EXECUTED

3/6/2008 7:15am

COPY OF WARRANT AND RECEIPT
FOR ITEMS LEFT WITH

Ben Anderson

INVENTORY MADE IN THE PRESENCE OF: Ben Anderson

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

SEE ATTACHED INVENTORY LISTS.

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.



Subscribed, sworn to, and returned before me this date.



U.S Judge or Magistrate Judge

3/10/08
Date**CATHY ANN BENGIVENGO**
U.S. MAGISTRATE JUDGE

Attachment A

The residence and vehicle of Benjamin Anderson, which is located at 315 Westbourne Street, La Jolla, California. The residence is a multi-level, brown attached condominium located off of Westbourne Street, behind 303 Westbourne Street, La Jolla, California. The residence is abutted in the rear by an alleyway, with two (2) individual garages allowing access to the alleyway. The front door of the residence is facing north towards Westbourne Street. The front door is located behind a tall wooden fence, with the number 315 in metal numbers located on the gate. Next to the front door is a large sliding glass door.

The vehicle, usually parked in front of the residence, is a red Ford Mustang Saleen with California license tag 6BUV942.

ATTACHMENT B

Authorization is sought to search for and seize evidence that Benjamin Anderson utilized online auction sites and the U.S. Mail to defraud individuals in violation of Title 18, United States Code, Section 1341, Mail Fraud and used the proceeds to promote the carrying on of that activity and conceal the proceeds of that activity in violation of Title 18, United States Code, Section 1956. Authorization to search includes any detached structures from the primary premises if such additional structures exist. This authorization includes the search of physical documents and includes electronic data to include deleted data, remnant data and slack space. The seizure and search of computers and computer media will be conducted in accordance with paragraph 21 of the affidavit submitted in support of this warrant. Items to be seized specifically include the following:

- Any and all records and information reflecting any online auction activity and including any activity by Apro Auctions, Apropos Auctions, and Apropras Auctions;
- Bank statements and other records of financial transactions;
- Tax information to include Federal and State returns;
- All communications with sellers and purchasers regarding online auctions;
- All evidence reflecting violations of Title 18, United States Code, Section 1341 regarding online auctions; and,
- All evidence reflecting the disposition of proceeds from sales in online auctions; and,
- All evidence identifying any co-conspirators in the fraudulent online auction scheme.

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Position/Box.: _____ / _____

Shelf: _____ Table: _____ Wall: _____ Other: _____

[illegible]

Page of pages

SEARCH WARRANT INVENTORY

22

Shelf: _____ Table: _____ Wall: _____ Other: _____

QUANTITY	DESCRIPTION OF ITEMS
-	MISC Envelopes Addressed to Apropro Auction - opened
-	Numerous National Geographic Magazines
-	Letter from Michigan Attorney General.
-	Copy of Banking Info including Copy of Stop Payment Checks

Page of pages



SEARCH WARRANT INVENTORY

Position/Box.: _____ / _____

Subject Name: BEN ANDERSON Date: 3-6-08

Subject Address: 315 WESTBURN ST LA JOLLA CA Floor/Room No. A - BATHROOM CLOSET

Inspector(s): NEVE Case No. 0355-1713544-MF(2)

Safe: _____ Cabinet: _____ Credenza: _____ Desk: _____ Drawer: _____

Shelf: _____ Table: _____ Wall: _____ Other: BATHROOM CLOSET FLOOR

QUANTITY	DESCRIPTION OF ITEMS
	<p>DEL BAL of OPENED MAIL ADDRESSES TO APPROPOS AUCTION TO BE MADE</p>
	<p>Delivered New 3-6-08</p>

DISTRIBUTION OF COPIES: White-U.S. Magistrate (Return with Warrant)
Yellow-Inspector (Attach to PS Form 714)
Pink-Subject Searched
Green-Evidence Control Officer (Attach to PS Form 714)

Page of pages

SEARCH WARRANT INVENTORY

Position/Box.: _____ / _____

QUANTITY	DESCRIPTION OF ITEMS
	BAG of MAIL (OPENED) ADDRESSED TO APROPRIATE AUTIONS. OTHER AUTIONS
	PURCHASE NAME 3-6-08

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SEARCH WARRANT INVENTORY

PS Form 8164, October 1993



Position/Box.: _____ / _____

[illegible]

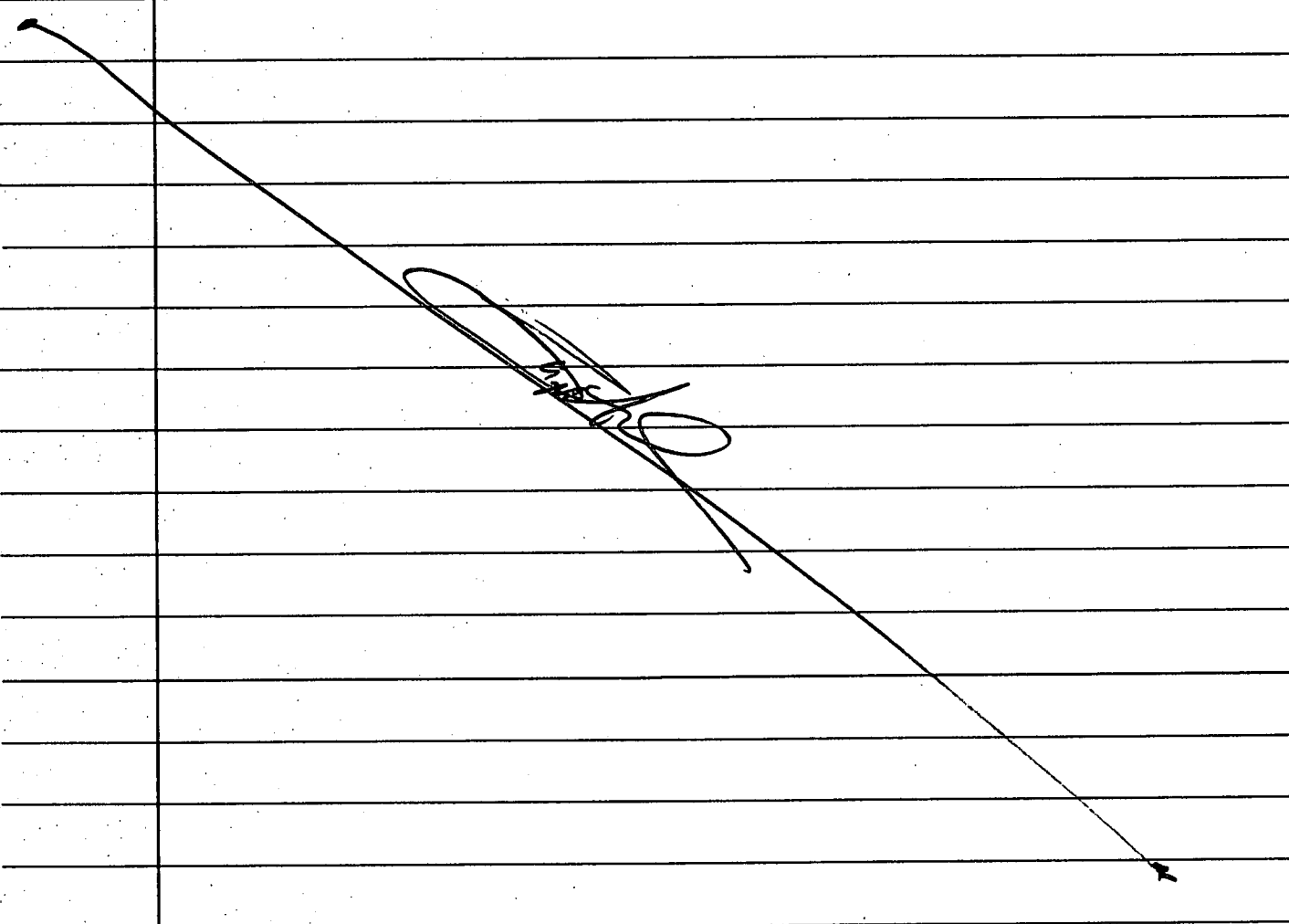
Page of pages

SEARCH WARRANT INVENTORY

Position/Box.: _____/_____

Shelf: _____ Table: _____ Wall: _____ Other: _____

QUANTITY	DESCRIPTION OF ITEMS
2	NATIONAL GEOGRAPHIC MAGAZINES
1	NEWSWEEK MAGAZINE
	VARIOUS PIECES OF MAIL



DISTRIBUTION OF COPIES: White-U.S. Magistrate (Return with Warrant)
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Pink-Subject Searched
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Page of pages



Position/Box.: _____ / _____

Shelf: _____ Table: _____ Wall: _____ Other: _____

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Green-Evidence Control Officer (Attach to PS Form 714)

SEARCH WARRANT INVENTORY

Subject Name:

Ben Anderson

Date:

3/6/08

Subject Address:

315 West Bourne St

Floor/Room No.

Inspector(s):

Case No.

Safe:

Cabinet:

Credenza:

Desk:

Drawer:

Shelf:

Table:

Wall:

Other:

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Position/Box.: _____ / _____

Shelf: _____ Table: _____ Wall: _____ Other: _____

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Shelf: _____ Table: _____ Wall: _____ Other: 7100R - Black Box

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SEARCH WARRANT INVENTORY

PS Form 8164, October 1993